

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Ole Buchardt

Application No.: 10/691,012

Filing Date: October 22, 2003

For: PEPTIDE NUCLEIC ACIDS

Confirmation No.: 5682

Group Art Unit: 1631

Examiner: Borin, Michael L.

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PATENT OWNER'S STATEMENT PURSUANT TO 37 CFR 1.560(B)

Date of Examiner's Interview Summary: April 16, 2010

Date of Interview: March 29, 2010

Interview Type: ☐ Personal ☒ Telephonic ☐ Electronic Mail ☐ Video Conference ☐ Other:

Participants:

From PTO: Michael Borin

For Patent Owner: Joseph Lucci

☐ An exhibit or demonstration was included and is described below:

The claims discussed included: Claim(s) 34-36, 38-41, 43-45, and 47-73

The ☐ art ☐ prior art discussed included:

An agreement ☐ was ☒ was not reached.

☐ It was agreed that the attached claims are allowable.

☐ It was agreed that the attached amendment would be entered.

☒ The interview is summarized below.

The following issues were discussed during the interview:

- support for the claimed subject matter in the instant specification
- the fact that the instant specification is substantially the same as the specification filed in priority application Serial No. 08/109591
- the impropriety of the Examiner's position regarding Applicants' entitlement to the filing date of application Serial No. 08/109591 given the fact that their respective specifications are substantially the same

Date: May 14, 2010

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